



United States Department of State

*Bureau of Legislative Affairs
Washington, D.C. 20520*

DEC 17 2004

Dear Mr. Markey:

This is in response to your letter of September 30 regarding our response to the Canadian Commission of Inquiry into the Actions of Canadian Officials in Relation to Maher Arar ("the Commission"). We apologize for the late response.

While Mr. Arar's name was placed on a terrorist lookout list based on information received from Canada, the decision to remove Mr. Arar from the United States was made by U.S. government officials based on our own assessment of the security threat to the United States posed by Mr. Arar. We believed then and still believe now that Mr. Arar's removal was in the best interests of the United States.

Like you, we are mindful of the close friendship between the United States and Canada and we view continued close cooperation on law enforcement and intelligence matters as critical to both countries' interests. In this connection, it is important to note that the Commission's mandate is only to investigate the actions of Canadian officials (not the actions of U.S. officials) in respect of Mr. Arar's detention and removal to Syria. Accordingly, many of the Commission's questions are most appropriately directed to Canadian officials. The Commission is, of course, interested in whether the United States sought the Government of Canada's approval or consent prior to removing Mr. Arar. We have made clear to the Commission that such approval or consent was not sought.

We hope this information is helpful to you. Please do not hesitate to contact us if we can be of further assistance.

Sincerely,

Paul Kelly
Assistant Secretary
Legislative Affairs

The Honorable
Edward J. Markey,
House of Representatives.